



TOWN OF MOUNTAIN VILLAGE
455 Mountain Village Blvd. Suite A
Mountain Village, Co 81435
970-728-8000
970-728-4342 Fax
mvclerk@mtnvillage.org

**TOWN OF MOUNTAIN VILLAGE
MINUTES OF THE NOVEMBER 18, 2021
REGULAR TOWN COUNCIL MEETING**

The meeting of the Town Council was called to order by Mayor Laila Benitez at 2:00 p.m. on Thursday, November 18, 2021. Due to the Town's Disaster Declaration of March 19, 2020 related to the COVID-19 virus, the meeting was held in person and with virtual access provided through Zoom.

Attendance:

The following Town Council members were present and acting:

Laila Benitez, Mayor
Dan Caton, Mayor Pro Tem
Patrick Berry
Pete Duprey
Jack Gilbride (Via Zoom)
Marti Prohaska (Via Zoom)
Harvey Mogenson (Via Zoom)

The following Town Council members were absent:

Also in attendance were:

Paul Wisor, Interim Town Manager	Chris Chaffin
Susan Johnston, Town Clerk	Paul Zoidis
Julie Vergari, Chief Accountant	Chris Hawkins
Chris Broady, Chief of Police	Randy Podolsky
Jaime Holmes, Human Resources Director	Thomas Kennedy
Zoe Dohnal, Business Development and Sustainability Director	Huascar Gomez
Kathrine Warren, Public Information Officer	Madeline Gomez
Michelle Haynes, Director of Planning & Development Services	Shari Mitchell
John Miller, Community Housing Program Director & Senior Planner	Yvette Rauff
Amy Ward, Planner	Patrick Willis
Finn Kjome Director of Public Works	Kim Schooley
J.D. Wise, Assistant Public Works Director	Julia Caulfield
Rob Johnson, Transit Operations Manager	Lauren Gibbons
Conor Intemann, Gondola Maintenance Manager	Pam Pettee
Kate Burns, Controller	Jonathan Greenspan
Mike Otto, Forester	Wendy Roberts
Brian Grubb, Senior Planner	Cyndi Bock
Lindsay Niehaus, HR Coordinator	Stephanie Fanos
Tim Ross	Rob Rydel
Sue Berg	Jeff Proteau
Louis Alaia	Gretchen Koitz
Lance Roberts	Dale Reed
Tom Pike	Peter Hervold
Sean Deland	

Executive Session for the Purpose of Receiving Legal Advice and Determining Positions Relative to Matters that may be Subject to Negotiations, Developing Strategies for Negotiations, and Instructing Negotiators Pursuant to Section 24-6-402(4)(b) and (e) in Connection with the following items: (2)

- a. **Proposed Expansion of Town Hall; and**
- b. **Proposal to Develop Community Housing in the Meadows**
- c. **TMVOA Membership and Voting Rights**

On a **MOTION** by Patrick Berry and seconded by Pete Duprey, Council voted unanimously to move into Executive Session for the purpose of receiving legal advice and determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiators pursuant to Section 24-6-402(4)(b) and (e) in connection with the following items:

- a. Proposed Expansion of Town Hall; and
- b. Proposal to Develop Community Housing in the Meadows
- c. TMVOA Membership and Voting Rights

at 2:01 p.m.

Council returned to open session at 3:15 p.m.

Public Comment on Non-Agenda Items (3)

No public comment was received.

Consent Agenda:

All matters in the Consent Agenda are considered to be routine by the Town Council and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately: (4)

- a. **Consideration of Approval of the October 6, 2021 Town Council Budget Meeting Minutes**
- b. **Consideration of Approval of the October 14, 2021 Joint Town Council and Design Review Board Meeting Minutes**
- c. **Consideration of Approval of the October 21, 2021 Regular Town Council Meeting Minutes**

Town Clerk Susan Johnston presented. On a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted unanimously to approve the Consent Agenda with one change to the October 21, 2021 regular Town Council meeting minutes on agenda item 13 to reflect of vote of 6-1 instead of 7-0.

On a **MOTION** by Patrick Berry and seconded by Dan Caton, Council voted to convene as the Board of Directors for the Dissolved Mountain Village Metro District.

Town Council Acting as the Board of Directors for the Dissolved Mountain Village Metro District: (6)

- a. **Public Hearing on the Proposed 2021 and Revised 2020 Budgets**

The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing.

On a **MOTION** by Patrick Berry and seconded by Dan Caton, Council voted unanimously to re-convene as the Mountain Village Town Council.

Finance: (7)

Chief Accountant Julie Vergari presented.

- a. **Presentation of the October 31, 2021 Business & Government Activity Report (BAGAR)**
- b. **First Reading, Setting of a Public Hearing and Council Vote on an Ordinance of the Town Levying Taxes for the Year 2021 to be Collected in 2022**

Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted 7-0 to approve on first reading an Ordinance of the Town levying Property taxes for the year 2021 to be collected in 2022 and to set the second reading, public hearing and final Council vote for December 9, 2021.

c. First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Adopting the 2022 Budget and Revising the 2021

Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Jack Gilbride, Council voted 7-0 to approve on first reading an Ordinance adopting the 2022 budget and revising the 2021 budget and to set the second reading, public hearing and final Council vote for December 9, 2021.

d. Consideration of a Resolution Adopting Certain Fee Schedules Effective January 1, 2022

On a **MOTION** by Pete Duprey and seconded by Patrick Berry, Council voted unanimously to adopt a Resolution adopting certain fee schedules effective January 1, 2022.

Second Reading, Public Hearing and Council Vote on an Ordinance Regulating Weight Size of Motor Vehicles (8)

Interim Town Manager/Town Attorney Paul Wisor presented. Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Harvey Mogenson, Council voted unanimously to continue this item.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Amending the Town of Mountain Village License Fee Ordinance (9)

Paul Wisor presented. Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Dan Caton, Council voted 7-0 to approve on first reading an Ordinance amending the Town of Mountain Village License Fee Ordinance and to set the second reading, public hearing and final Council vote for December 9, 2021.

Second Reading, Public Hearing and Council Vote on an Ordinance Regarding a Rezone and Density Transfer Located at Lot 27A, Belvedere Phase III Development, Parcel Three-R, 112 Lost Creek Lane, Mountain Village to Develop 19 Condominium Units (10)

Planning and Development Services Director Michelle Haynes and applicant Chris Chaffin presented. The Mayor opened the public hearing. No public comment was received. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted 7-0 to adopt an Ordinance regarding a density transfer and rezone application at Lot 27A, Belvedere Phase III, 112 Lost Creek Lane, Parcel 3R from 17 condominiums, 10 lodge units and 2 efficiency lodge units, to 19 condominium units and 2 employee condominiums with the following findings and conditions:

With the following findings:

1. Phase I has 3 constructed condominiums, Phase II has 7 constructed condominiums and Phase III proposes 19 condominiums and two employee condominiums. In total the property in aggregate will have 29 condominium zoning designation units and two employee condominiums.
2. 10 lodge units and 2 efficiency lodge units will be transferred to the density bank.
3. The applicant will acquire two (2) condominiums zoning designation units from the density bank and demonstrate the purchase/acquisition prior to recordation of the ordinance.
4. The application meets the rezone and density transfer criteria outlined in this memo.
5. Town Council is creating two employee condominium units with a six-person equivalent which is considered bonus density and does not negatively impact our overall density cap.
6. The lot list will be updated to reflect the rezone approval.
7. The associated density certificate/s will be voided once the density is assigned to the lot concurrent with recordation of the ordinance.
8. The Council is creating two employee condominium bonus units of density with a total of six-person equivalent for the purposes of this application.

With the following conditions:

1. The ordinance reflects that a Master Development Plan amendment and design review be submitted within 18 months of the rezone and density transfer approval.
2. The applicant affirms the design of the building will be consistent with the underlying zone district regulations.

3. The owner of record of density in the density bank, once transferred, shall be responsible for all dues, fees and any taxes associated with the assigned density and zoning until such time as the density is either transferred to a lot or another person or entity.
4. If the applicant is unable to receive HOA consent to add two employee condominium units, the applicants will comply with the Affordable Housing Mitigation Ordinance (which applies the mitigation in arears) and or affordable housing mitigation methodology when adopted.
5. In the event the two employee condominiums are not constructed and condition #4 applies, the town will void the two employee condominiums as they are bonus density.

Consideration of a Resolution Approving a Minor Subdivision Combining Lots 243 AR and 243 BR into Lot 243 R (11)

Senior Planner Brian Grubb and Alpine Planning President Chris Hawkins presented. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Pete Duprey, Council voted unanimously to adopt a Resolution approving a Minor Subdivision combining Lots 243 AR and 243 BR into Lot 243 R, with the findings contained within the staff report of record dated November 18, 2021 and with the following findings and conditions:

Findings:

1. Vacation of the southern GE as well as a lot combination is supported by CDC Section 17.6.1.B.2.e, to allow for reconfiguration of a lot in order to avoid wetlands.

Conditions:

1. The Applicant will submit appropriate fees to the Town for recordation with the San Miguel County Assessor's office within six months of approval.
2. Staff will review the replat document to verify consistency with CDC Sections 17.4.13.N.Platt Standards, and CDC Section Plat Notes and Certifications, and provide redline comments to the applicant prior to execution of the final mylar.
3. The minor subdivision approval is conditioned upon final approval of a density transfer by Town Council.
4. Staff has the authority to provide ministerial and conforming comments on the mylar prior to recordation.
5. Staff recommends ongoing wetland monitoring throughout the development project to assure that the wetlands will not be impacted negatively with development.

And adding that Lot 233a maintains a ski access easement contingent if requested by the owner.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance of the Town Council of the Town of Mountain Village, Colorado Approving the Density Transfer and Rezone of Lot 243 R to Transfer One Unit of Density (Four Person Equivalent) to the Density Bank (12)

Brian Grubb presented. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Dan Caton, Council voted 7-0 to approve on first reading an Ordinance approving the density transfer and rezone of Lot 243 R to Transfer one unit of density (four-person equivalent) to the density bank with the following findings:

1. The owner of record of density in the density bank shall be responsible for all dues, fees and any taxes associated with the assigned density and zoning until such time as the density is either transferred to a lot or another person or entity.
2. The Rezoning and Density Transfer approval is conditioned upon approval of the Minor subdivision plat, by the Town Council.

and to set the second reading, public hearing and final Council vote for December 9, 2021.

Second Reading, Public Hearing and Council vote on an Ordinance Regarding a Density Transfer and Rezone Located at Lot 27A, 112 Lost Creek Lane, Unit 2-3, to Transfer One Condominium Unit of Density from the Density Bank onto the Property Re-Separating Units 2 & 3 into Two Separate Condominium Units (13) Quasi-Judicial

Planner Amy Ward and Randy Podolsky presented. Council discussion ensued. The Mayor opened the public hearing. Public comment was received from. The Mayor closed the public hearing. On a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted 7-0 to adopt an Ordinance regarding a density

transfer and rezone application pursuant to CDC Sections 17.4.9 & 17.4.10 of the Community Development Code, to rezone Lot 27A Unit 2-3 and transfer 1 condominium density unit (3-person equivalent density) from the density bank to the lot based on the evidence provided within the staff report of record dated October 7, 2021, and with the following conditions:

1. Prior to the recordation of the associated ordinance approving the Density Transfer and Rezone, the owner must complete the Density Bank Transfer process with the Town and this change shall be reflected in the Town official Lot List.
2. The owner of record of density in the density bank, shall be responsible for all dues, fees, and any taxes associated with the assigned density and zoning until such time as the density is either transferred to this lot or another person or entity.
3. The final design of the newly separated condominium units shall be determined with the required Design Review Process application pursuant to the applicable requirements of the CDC.
4. A condominium map and amendment showing Unit 23 as two separate condominium unit 2 and 3 must be executed for the legal separation of the units prior to a certificate of occupancy being issued.

On a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted unanimously to convene as the Board of the Mountain Village Housing Authority.

Mountain Village Housing Authority: (14)

a. Consideration of a Resolution of the Mountain Village Housing Authority Adopting Rental Fee Rates at Village Court Apartments for 2022

Community Housing Program Director John Miller presented. Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Patrick Berry, Council voted unanimously to adopt a Resolution of the Mountain Village Housing Authority adopting rental fee rates at Village Council Apartments for 2022.

On a **MOTION** by Dan Caton and seconded by Pete Duprey, Council voted unanimously to re-convene as the Mountain Village Town Council.

Internet and Cable Upgrades Update (15)

Chief Technology Officer Jim Soukup presented. Council discussion ensued.

Telluride Conference Center Seasonal Update

Telluride Ski & Golf Director of Conference Sales Lauren Gibbons presented. Council discussion ensued.

Telluride Ski & Golf Development Worksession

Telluride Ski & Golf owner Chad Horning and Vice President of Mountain Operations and Planning Jeff Proteau presented. Council discussion ensued. Public comment was received from Yvette Rauff, Lance Roberts and Shari Mitchell

Council Boards and Commissions Updates: (19)

1. **Telluride Tourism Board - Berry**
2. **Colorado Flights Alliance – Gilbride**
3. **Transportation & Parking –Duprey/Mogenson**
4. **Budget & Finance Committee –Gilbride/Duprey/Mogenson**
5. **Gondola Committee – Caton/Berry**
6. **Colorado Communities for Climate Action – Berry**
7. **San Miguel Authority for Regional Transportation (SMART)- Berry/Caton/Prohaska**
8. **Telluride Historical Museum- Prohaska**
9. **Latinx Advocacy Committee (LAC) – Prohaska**
10. **Green Team Committee- Berry/Prohaska**
11. **Business Development Advisory Committee – Caton/Duprey**
12. **San Miguel Watershed Coalition- Prohaska**

13. Telluride Mountain Village Owners Association Governance Auxiliary Committee – Duprey
14. Wastewater Committee- Duprey/Mogenson
15. Mayor's Update – Benitez

Staff Reports: (20)

a. Transit & Recreation

Director Jim Loebe presented. Council discussion ensued.

b. Public Works

Director Finn Kjome presented. Council discussion ensued.

Other Business (21)

Susan Johnston informed Council that the Business Development Advisory Committee has one open Merchant seat which will be appointed at the December 9, 2021 Town Council meeting. The deadline for letters of interest is Thursday, December 2nd by 5:00 p.m.

There being no further business, on a **MOTION** by Dan Caton and seconded by Pete Duprey, Council voted unanimously to adjourn the meeting at 6:46 p.m.

Respectfully prepared and submitted by,



Susan Johnston
Town Clerk